

**HON'BLE THE ACTING CHIEF JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

WRIT APPEAL No.971 of 2007

Date: 27-11-2007.

Between :

M/s.SRVS Industries, Balanagar, Hyderabad,
Rep. by its Partner.

.....Appellant.

And

The Presiding Officer, Addl. Industrial Tribunal-cum-Addl.Labour
Court, Nampally, Hyderabad & another.

.....Respondents.

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JUDGMENT : (Per Hon'ble Sri Justice Bilal Nazki, ACJ)

Heard learned counsel for the parties.

The appellant is aggrieved of the order passed by the learned Single Judge while entertaining the writ petition. The Labour Court has ordered reinstatement of the workman with back wages and also continuity of service. The learned Single Judge stayed the order of reinstatement subject to deposit of 50% of the back wages and the Court also ordered that on deposit being made, the respondent-workman in the writ petition can withdraw the amount without furnishing any security. The learned counsel for the appellant is aggrieved of this part of the order and submits that if the appellant succeeds in the writ petition, the respondent-workman may not be in a position to reimburse the amount.

In this view of the matter, we modify the order of the learned Single Judge to the effect that the amount deposited in terms of learned Single Judge's order shall be disbursed to the workman on an undertaking that he will reimburse the amount in case he fails in the writ petition. The learned counsel for appellant also undertakes to deposit the amount within a week.

Appeal is accordingly disposed of.

27th November 2007.

BILAL NAZKI, ACJ

ajr

RAMESH RANGANATHAN, J